

article of clothing without other assistance, comprising a base having a hanger receptacle formed therein that is dimensioned and configured to receive and stabilize a conventional clothing hanger. The Office Action asserts that the body portion 24 of Franklin would enable a user with only one extremity to position a hanger thereon for hanging or removing a garment without assistance. Applicant respectfully disagrees. The body portion 24 (and a hanger retaining means (30)) is positioned so as to resist *dislodging* of the hooked portion of the hanger from the hanger bar means. The body portion and retaining means disclosed by Franklin would not enable a user with only one extremity to position a hanger thereon for hanging or removing a garment without assistance. Indeed, as the Franklin reference acknowledges, the retaining means simply prevents the hooked portion of the hanger from being dislodged, it does not and cannot stabilize a conventional clothing hanger so that a user with only one extremity can position a hanger thereon for hanging or removing a garment without assistance. Indeed, Franklin discloses a conventional garment bag, which cannot so receive and stabilize the hanger. This is because the body portion of the hanger suspending device of Franklin is affixed to a garment bag, which is not otherwise secured against movement. Thus, if a person with only one extremity were to attempt to position a hanger on the device disclosed in Franklin, the garment bag, and the affixed hanger suspending device, would twist, thereby creating the problem the claimed invention solves.

Claim 2 is directed to a device for supporting and stabilizing a clothing hanger so that a user employing only one upper extremity can position a hanger thereon for hanging or removing an article of clothing without other assistance, comprising a base portion adaptable for mounting to a stable object, the base portion having an arcuately-shaped hanger receptacle formed therein that is dimensioned and configured to receive and stabilize a conventional clothing hanger. The Office Action asserts that the body portion has means (detail 24a) for suspending the device. Applicant respectfully disagrees. As discussed above, the garment bag of Franklin is inherently unstable since it is by definition portable. Thus, Franklin's means for suspending the device will not stabilize a hanger so that a person with only one extremity can position a hanger thereon for hanging or removing a garment without assistance because the garment bag would twist when a user attempted to hang or remove an article of clothing.

The Office Action rejects claim 3 because the body portion's means (detail 24a) for suspending the device would provide the body portion of the device at a height accessible to the

user. However, the device disclosed in Franklin is not adaptable for mounting, as required by Claim 3.

As to Claim 6, while the Office Action asserts that the receptacle inside the body portion is ovally shaped, in fact, Franklin discloses that the hanger bar means (22) includes a *generally round*, cylindrically convex surface. Col 3, line 68 – col. 4, line 1 (emphasis added).

As to Claim 7, Franklin does not disclose a cover adapted to *overlay* the hanger receptacle. Rather, Franklin discloses a handle portion (detail 28), which can be gripped by the user to operate a retaining means (30), which is an extension of the handle. The handle portion, along with the convex portion (33), generally retains the hooked portion, but does not *overlay* the receptacle.

As to Claim 8, Franklin does not disclose a cover portion that is hingedly attached to the base.

As to Claim 9, Franklin does not disclose a cover that includes a handle.

As to Claim 10, Franklin does not disclose a latch for holding the cover closed in relation to the base.

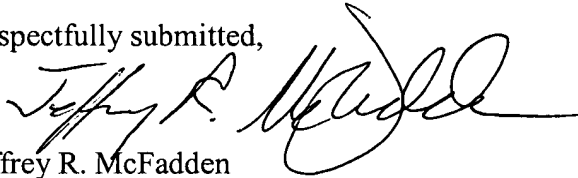
#### **The Examiner's Rejections Under 35 U.S.C. 103 Should Be Withdrawn**

Claims 4 and 5 are rejected under Section 103(a) as being unpatentable over Franklin. The Office Action acknowledges that Franklin does not teach a base formed for mounting on a vertical surface. The Office Action asserts, however, that the means for suspending the body portion on a horizontal surface disclosed in Franklin makes it obvious to attach the base portion of the claimed invention to a vertical surface or a pedestal. The Office Action, however, fails to make a prima facie case of obviousness. Specifically, the Office Action fails to cite any reference that teaches or suggests modifying the apparatus disclosed in Franklin so that the hanger portion can be attached to a vertical surface or a pedestal.

### Conclusion

Applicant believes that this case is now in condition for an immediate allowance with Claims 1-12, and such action is respectfully requested. If any issue remains unresolved, Applicant's counsel would appreciate the opportunity for a telephone interview to expedite allowance.

Respectfully submitted,



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